

IN THE DRAWING

In Fig. 2, it is illustrated that the upper ear 21 has a through hole 210 and the lower ear 22 has a through hole 220 and there are two bars 4 at the lower sides of the drawings. Thus, the elements are illustrated in Fig. 2 of the present invention. No drawing is amended.

REMARKS

Very thanks for Examination's suggestion and thanks for finding some citations about the present invention, thereby, the applicant may know more information about the invention. This case has been carefully reviewed and analyzed in view of the office action. All details of the reference prior arts are fully considered and compared with the present invention.

ABOUT CLAIM REJECTION OF 35USC103

Indeed the citations disclose some features of the present invention, and the applicant agrees with these viewpoints, however applicant discovers that some main features of the present invention are not disclosed in the citation which can form the novelty and inventive step of the present invention.

To illustrate the novelty of the present invention and overcome the objection from the citations, the applicant decides to cancel Claims 1 to 4, without prejudice or disclaimer of the subject matter thereof, and add new claim 5. The added new claim 5 is based on the original claims 3 and 4. Thereby, it is assured that the new claims are based on the original claim and specification and thus no new matter is added. The relation of the new claims with respect to the original claims are shown in the following.

CLAIMS SHOW CHANGES AND NUMERALS FOR DISCUSSING IN THE REMARK

~~1. A silicone rubber plate used in an oven, said plate 2
comprising a projecting circumferential edge 20, a metal bar 3~~

~~contained in said circumferential edge 20; said plate 2 not disfiguring when it is held up by a user and keeping its flat shape so as to prevent soup in said plate from overflowing and to maintain intact the appearance of baked food placed on said plate and also to hamper food thereon from falling off.~~

~~2. A silicone rubber plate used in an oven, said plate 2 comprising a projecting circumferential edge 20, said circumferential edge 20 having an inlet, a metal bar 3 inserted through said inlet to extend lengthwise in the interior of said circumferential edge 20; said plate 2 not disfiguring and able to maintain its flat shape so as to prevent soup in said disc oven from overflowing and also to keep intact the appearance of the food baked on said disc oven and also to hamper food from falling off when said plate is held up.~~

Claim 5. (New) 3. A silicone-rubber plate used in an oven, said plate comprising at least two pairs of upper ears 21 and of lower ears 22 provided on an outer vertical circumferential surface, each said upper and lower ear having a through hole 210, 220; said plate 21 further having at least two support bars 4 crossing each other at approximate middle sections thereof, said support bars 4 propping a lower side of said plate and having its two ends inserted securely in said through holes 210, 220 of said upper and said lower ears; said plate 2 not disfiguring so as to maintain intact its flat shape and to prevent soup therein from overflowing and baked food placed on said plate possible to be kept intact and also prevented from falling off said disc oven when a user holds up

said plate; and -

~~4. The silicone rubber plate used in an oven as claimed in Claim 3,~~ wherein each said support bar 4 is U-shaped, having a support area 40 for propping a lower side of said plate and two combining ends provided respectively with a recess 42 in the intermediate section wherein in assembly, the recess 42 is located between the upper ear 21 and the lower ear 22.

DISCUSSION ABOUT THE NOVELTY THE PRESENT INVENTION

(A) About the rejection

In the first office action, it states that the present invention has two species one for Fig. 5 and one for Fig. 6. However the Fig. 5 is just a partial part of Fig. 2, which defines the projecting circumferential edge 20 being provided with an inlet 200 for receiving the metal bar 3. Thus the case in Fig. 5 is combined with those illustrated in Fig. 2.

This can be further illustrated in the description of the drawings of the present invention, which states that: Figure 5 is a perspective view of a metal bar provided in the first embodiment in the present invention. This proves that the Fig. 5 is for illustrating the structure of the edge 20 in the Fig. 2.

Furthermore, in the detail description in the preferred embodiment of the present invention, we state that “Moreover, the projecting circumferential edge 20 can be provided with an inlet 200 as shown in Fig. 5, to let the metal bar 3 possible to be inserted in the interior of the edge 20. ”

Thus these can prove that the Fig. 5 is combined to the Fig. 2 as a complete embodiment. It is not an independent object. The above two descriptions in the drawings and embodiments can prove this concept. We do not disclose that the Fig. 5 is an independent part for claiming.

Furthermore, if we assume that the Fig. 5 is not contained in the Fig. 2, then in the office action, it must say that the Fig. 2 is another species. **That is, the present invention has three species Figs. 2, 5 and 6 and the applicant is requested to select one species from these three species.** However the first office action does not disclose that Fig. 2 is another species. Thus, we believe that the Examiners consider that the Fig. 5 is a part of Fig. 2 so that the selection of Fig. 5 contains the contents of Fig. 2.

Furthermore, in fact the Fig. 5 is indeed a partial part of Fig. 2. The existence of the structure in Fig. 5 can still make the Fig. 2 exists. Nothing of Fig. 2 is necessary to be changed due to the existence of Fig. 5. The structure in Fig. 5 can be completely contained in the Fig. 2. No part of Fig. 2 is necessary to be changed.

Thus, we believe that the first office action confesses that the Fig. 5 is one part of Fig. 2 which constructs a complete embodiment for claiming the patent right. That we select the Fig. 5 also exists the facts that we select the structure combining the Figs. 2 and 5.

However in this amendment we claim the features in the Figs. 2 and 5 (which are not conflicted to one another), Fig. 5 is a partial view for illustrating the structure of the edge 20.

We select the case in Fig. 5 is of course that the case of Fig. 5 contains those illustrated in Fig. 2 because this is described in the

drawing description and the detail description of the invention and we believe that the Examiner also has the same concept about this, otherwise the Examiner must be disclosed that the Fig. 2 is also a different species (however this is not true in the specification of the invention). Otherwise anyone must feel fuzzy that the Examiner says the Fig. 5 is a species that do not contain Fig. 2, and requests us to select a species in Fig. 5 with a very sample structure and being a partial view. If the Examiner considers that Fig. 2 is a not a species in the present invention, what is Fig. 2?

We respect Examiner and thus We consider that Examiner will do a correct judge, thus we believe that Examiner really knows that Fig. 5 is a part of Fig. 2, it is not a dependent species.

Furthermore, from the drawing, it is clearly illustrated that Fig. 5 is a partial view because some of the outlook lines are cut to illustrate that it is a partial view.

From above discussion, we really believe that selection of Fig. 5 also contain those in Fig. 2 and this is reasonable and acceptable, and we believe that wisdom and intelligent Examiner will agree with our opinions.

(B) In the amended claim 1, we states **“at least two support bars 4 crossing each other at approximate middle sections thereof, said support bars 4 propping a lower side of said plate and having its two ends inserted securely in said through holes 210, 220 of said upper and said lower ears;”**

There are three citations being used to object these features, which are USP6197359, USP6098805 and USP1707655, however all these three citations have no corresponding to elements as above mentioned.

(C) In claim 1 of the present invention, we states: **“each said support bar 4 is U-shaped, having a support area 40 for propping a lower side of said plate and two combining ends provided respectively with a recess 42 in the intermediate section wherein in assembly, the recess 42 is located between the upper ear 21 and the lower ear 22.”**

However the three citations still have no any corresponding element as above mentioned.

(D) Advantages of the present invention are that the present invention provide a very concrete structure by the special arrangement of the two support bars 4, and the ribs 23 which can not be achieved by any prior art.

(E) RESULT

Since in above discussion, it is apparent that no prior art has the features of the present invention, especially in new claim 5, even the combinations of the citations USP6197359, USP6098805 and USP1707655 still have no feature of claim 5 of the present invention.

Furthermore, as we know that no other prior art has features of the present invention. Thus, the present invention is novel and inventive.

If there is any error in the specification, or claims, applicant requests and authorizes Examiner to amend the claims, specification and drawings of the present invention so that they can match the requirement of U. S. Patent. Attentions of Examiner to this matter are greatly appreciated.

It is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectively requested.

Respectfully submitted.

I-WEN LIL

Dated: 12 / 20 /2006

235 Chung – Ho Box 8-24

Taipei Taiwan R. O. C.